

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**February 23-27, 1998**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
2-23	CANC (SJ)	25,262	ADC Telecommunications, Inc. v. Reltec Corp.	Sams Simms Seeherman [opinion "By the Board"]	Res judicata [2(d)]	Petition to Cancel Granted	"FIBERSEAL" [sealed metallic enclosures for fiber optic telecommunications cabling systems]	"FIBERSEAL" [enclosures for fiber optic cable splices]			No
2-24	OPP	96,032	Signature Brands, Inc. v. Dallas Technologies Corp.	Seeherman Hairston* Walters	2(d); misuse of the federal registration symbol	Opposition Dismissed	"MR. COFFEE" [coffee makers, espresso/cappuccino makers, warming plates, thermal carafes, coffee filters, ice tea makers, hot tea makers, bread makers, food dehydrators, water filters]	"MR. BEER" [beer manufacturing kit]			No
2-24	EX	74/277,559	Tessco Communications Inc.	Cissel Hairston Walters*	whether, as evidenced by the specimens, applicant is using the mark sought to be registered in connection with the goods identified in its application	Refusal Reversed		"WIRELESS SOLUTIONS" [a full line of parts for cellular telephones]		Le	No
2-24	CU	1,007	Michael W. Wyckoff v. Rick E. Briggs	Quinn Hohein* Hairston	whether applicant is entitled to a concurrent use registration	Concurrent use registration Refused	"RENT-A-NERD" [temporary employment services for computer specialists—for all the U.S. except Ohio]	"RENT-A-NERD" (and design) [registration for "consulting services rendered regarding the use and application of computers"]			No

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2-24	EX	74/664,809	Phil Posthuma and Cordell Langeland	Seeherman Quinn* Hairston	whether the matter sought to be registered functions as a service mark for the services recited in the application or functions, instead, only as the title of a single creative work	Refusal Affirmed		"PHANTASM" [entertainment services in the nature of live theater production]		Baxley	Yes
2-26	EX	74/448,220	Carmen D. Caserta	Seeherman Quinn Walters*	whether, as evidenced by the specimens of record, the matter sought to be registered functions as a trademark for the goods identified in the application or functions, instead, only as a fictitious character name	Refusal Affirmed		"FURR-BALL FURCANIA" [children's books and periodical publications, namely, comic strips and comic magazines]		Brun	Yes

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

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2-26	CANC	24,090	In-Flight Phone Corp. v. J. Anselmo, Inc.	Simms Quinn* Walters	whether registrant had used its mark in commerce as of the issue date of its registration; fraud	Petition to Cancel Granted (but only on the ground of non-use of the mark as of the date of registration)		"SKY LIMO" (and design) [transportation of passengers by limousine, vans, buses and cars]			No

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(2) \*=Opinion Writer; (D)=Dissenting Panel Member